

Serial No. 10/765,988

CIPRIAN et al.

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--polyhydric alcohols--, corresponding to the disclosure on page 8, lines 8 to 13, of the application. Additionally, applicants have canceled Claim 4 in light of the Examiner's remarks and have revised and reworded Claim 5 to depend upon Claim 2 instead of Claim 4. Claims 6 and 8 have been amended to depend upon Claim 2 and Claim 3, respectively, consonant with the Examiner's suggestion, and Claims 10 and 11 have been amended to refer to a lower --monohydric-- alcohol instead of a "*monovalent*" alcohol. The characterization of the respective alcohols as --monohydric-- is, inter alia, immediately apparent from the reference to methanol as the alcohol in Claim 11. In light of the changes which were effected in Claim 1, applicants have reworded the paragraph on page 4, lines 9 to 13, of the application. Applicants have also corrected a clerical error in the paragraph on page 8, lines 14 to 18, of the application, where lower alcohols such as methanol and ethanol were erroneously characterized as "*polyhydric*". No new matter has been added.

The Examiner rejected Claims 1 to 17 under 35 U.S.C. §112, ¶2, as being indefinite, pointing in particular to the wording of Claims 1, 4 to 6, 8, 10, 11 and 14 as giving rise to indefiniteness. Favorable reconsideration of the Examiner's position and withdrawal of the respective rejection is respectfully solicited.

As concerns Claim 1 the Examiner noted that the expression "*suitable*" should be deleted and applicants have adopted the Examiner's suggestion in their amendment. The Examiner's reasons for finding Claim 1 indefinite should therefore be obviated.

Claim 4 has been canceled by applicants' so that the Examiner's reasons for finding Claim 4 indefinite are moot.

Applicants have amended Claim 5 to require that the anion exchanger comprise OH^- , Cl^- or SO_4^{2-} anions in light of the Examiner's comment that the respective entities were anions rather than functional groups. While applicants have not adopted the wording suggested by the Examiner verbatim, the wording of Claim 5 as herewith presented fully corresponds to the Examiner's suggestion and the Examiner's concerns should therefore be fully addressed.

Claim 6 has been amended to depend upon Claim 2 and Claim 8 has been amended to depend upon Claim 3. The claims now referenced in Claims 6 and 8 provide antecedent basis for the expression "*the activated carbon*" and "*the strongly basic anion exchanger*", respectively. The Examiner's reasons for finding Claims 6 and 8 indefinite should therefore also be obviated.

In light of the Examiner's remarks, applicants have amended Claims 10 and 11 to refer to --monohydric-- alcohols instead of "*monovalent*" alcohols. The Examiner also pointed out that the alcohols recited in Claim 11 lacked antecedent basis in Claim 1, and applicants have obviated this issue by replacing the erroneous reference to "*monohydric alcohols*" which was made in Claim 1 by a reference to "*polyhydric alcohols*". In light thereof, Claim 1 now provides proper antecedent basis for the alcohols which are enumerated in Claim 10.

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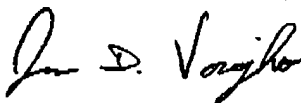
The Examiner argued that Claim 14 was indefinite because the application only specified process limitations pertaining to the regeneration of activated carbon and anion exchange materials, and that a person of ordinary skill in the art would therefore not be able to ascertain the meets and bounds of a regeneration of other adsorbents with a reasonable degree of precision and particularity.²⁾ It is respectfully urged that the regeneration of adsorbents is a routine endeavor and the steps involved in the regeneration of adsorbents are well known to a person of ordinary skill in the pertinent art. This fact is, for example, corroborated by the enclosed copy of the a definition of the term "regeneration" set forth in "Römp Chemie Lexikon" (Römp Chemical Dictionary) and the certified translation thereof. Favorable reconsideration of the Examiner's respective position is therefore respectfully solicited.

The Examiner included the remaining claims in the rejection for being dependent upon a rejected claim. Accordingly, all claims should now be in proper form and the application should be in condition for allowance. Early action by the Examiner is respectfully solicited.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 14.1437. Please credit any excess fees to such deposit account.

Respectfully submitted,

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Encl.: SPECIFICATION AMENDMENTS (Appendix I)
CLAIM AMENDMENTS (Appendix II)
Römp Chemie Lexikon, definition of "regeneration", and translation thereof

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2) Cf. eg. *Ex parte Wu*, 10 USPQ2d 2031 at 2033 (BPAI 1989).